

**REMARKS**

Favorable consideration of the subject application, in light of the following remarks, are respectfully requested.

Applicants hereby elect, without traverse, the invention of Group III, claims 10-13 and 19, which as defined by the Examiner is "drawn to a method for producing a dwarf plant comprising inserting a polynucleotide encoding the sequence of amino acids 1-138 of SEQ ID NO: 4 into plant; and plant produced by said method." See OFFICE ACTION at 2. This response is made without prejudice or disclaimer to any non-elected subject matter. Applicants reserve the right to seek rejoinder of appropriate claims upon an indication of allowable subject matter with regard to the elected claims. Applicants also reserve the right to file one or more continuation and/or divisional applications directed to any non-elected subject matter.

In view of the foregoing, further favorable action in the form of a Notice of Allowance is believed to be next in order. Such action is earnestly solicited.

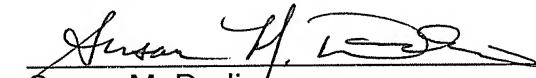
In the event that there are any questions related to this Response, or the application in general, it would be appreciated if the Examiner would telephone the undersigned attorney at the below-listed telephone number concerning such questions so that prosecution of this application may be expedited.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

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